

Message Text

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TO AMEMBASSY BUDAPEST

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AMEMBASSY BUCHAREST

AMEMBASSY PRAGUE

AMEMBASSY SOFIA

AMEMBASSY WARSAW

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E.O. 11652: GDS

TAGS: SNAR

SUBJECT: CUSTOMS-TO-CUSTOMS RELATIONS WITH EASTERN
EUROPE ON NARCOTICS MATTERS

REF: A) SOFIA 2036 (NOTAL); B) BUCHAREST 5435 (NOTAL);
C) PRAGUE 150 (NOTAL)

FOR THE AMBASSADOR

1. THE US CUSTOMS SERVICE HAS REQUESTED AUTHORIZATION
FOR ITS OFFICIALS TO EXPAND THEIR LIAISON ACTIVITIES
WITH OFFICIALS OF EASTERN EUROPEAN COUNTRIES TO INCLUDE
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NARCOTICS MATTERS. CUSTOMS HAS ASSERTED THAT FOR POLITICAL

AND OTHER REASONS THE EASTERN EUROPEAN COUNTRIES WOULD PREFER CUSTOMS-TO-CUSTOMS CONTACTS ON NARCOTICS MATTERS UNDER THE UMBRELLA OF THE CUSTOMS COOPERATION COUNCIL (SEE REFTELS) AND THAT DIRECT APPROACHES BY THE DRUG ENFORCEMENT ADMINISTRATION IN EASTERN EUROPE WOULD NOT BE AS EFFECTIVE AS CUSTOMS LIAISON, INDEED, IN SOME COUNTRIES WOULD NOT BE POSSIBLE AT ALL.

2. AS YOU KNOW, REORGANIZATION PLAN NO. 2 OF 1973, WHICH ;AS THE FULL FORCE OF US LAW, ASSIGNED TO DEA ALL

FUNCTIONS OF US CUSTOMS PERTAINING TO DRUG INVESTIGATION AND INTELLIGENCE. UNDER THE REORGANIZATION PLAN, THE RESPONSIBILITIES OF DEA INCLUDE THE CONDUCT OF ALL RELATIONS WITH DRUG LAW ENFORCEMENT OFFICIALS OF FOREIGN GOVERNMENTS, UNDER THE DIRECTION OF THE CHIEF OF MISSION AND IN ACCORDANCE WITH POLICY GUIDANCE OF THE CABINET COMMITTEE ON INTERNATIONAL NARCOTICS CONTROL.

3. THE REORGANIZATION PLAN DOES NOT PRECLUDE CUSTOMS-TO-CUSTOMS CONTACTS WITHIN THE AREAS OF RESPONSIBILITY RETAINED BY US CUSTOMS SERVICE SUCH AS BORDER INTERDICTION OF ALL CONTRABAND. NOR DOES IT PROHIBIT US CUSTOMS PERSONNEL FROM DISCUSSING NARCOTICS MATTERS WHEN THE SUBJECT ARISES DURING TALKS WITH THEIR FOREIGN COUNTERPARTS; ANY USEFUL INTELLIGENCE INFORMATION GLEANED BY OUR CUSTOMS OFFICIALS IN THIS MANNER CAN READILY BE PASSED ON TO DEA.

4. WE ARE PERSUADED BY THE INTENT OF THE REORGANIZATION PLAN THAT EFFECTIVE PROGRAM IMPLEMENTATION AND COORDINATION CAN BE BEST ACHIEVED IF NARCOTICS CONTROLS ABROAD, AND MOST PARTICULARLY INTELLIGENCE COLLECTION AND COORDINATION OF LAW ENFORCEMENT ACTIVITIES, ARE HANDLED BY AND CHanneled TO THE USG PERSONNEL OFFICIALLY RESPONSIBLE FOR DRUG CONTROL MATTERS, NAMELY DEA STAFF OPERATING ABROAD.

5. WE HAVE NO PROBLEM ACCEPTING A HOST GOVERNMENT'S CONCEPT THAT DRUG CONTROL IS ESSENTIALLY A CUSTOMS CONFIDENTIAL

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MATTER AS IT RELATES TO THAT COUNTRY. WE CAN UNDERSTAND THE LACK OF INTEREST IN CERTAIN COUNTRIES IN ESTABLISHING AN INTERNAL DRUG ENFORCEMENT UNIT. NEVERTHELESS, WE WOULD HOPE THAT EASTERN EUROPEAN GOVERNMENT OFFICIALS WOULD NOT REFUSE TO DEAL WITH THE DULY DESIGNATED US OFFICIALS (I.E., DEA REPRESENTATIVES).

6. WE DO NOT UNDERRATE THE INTENSITY OF DISPUTES THAT

COULD DEVELOP BETWEEN DEA AND CUSTOMS IF THERE IS A RETURN TO THE ORGANIZATIONAL PATCHWORK OF THE PAST WHEN THERE WAS NOT A SINGLE, COMPREHENSIVE US AGENCY RESPONSIBLE FOR THE CONDUCT OF RELATIONS WITH FOREIGN DRUG LAW ENFORCEMENT OFFICERS. THEREFORE, IF WE ARE TO MAKE AN EXCEPTION TO THE REORGANIZATION PLAN, WE NEED YOUR STRONG RECOMMENDATION AND JUSTIFICATION FOR DOING SO.

7. THEREFORE, IT IS REQUESTED THAT YOU REVIEW THE SITUATION IN YOUR HOST COUNTRY. SPECIFICALLY, WE WOULD LIKE TO HAVE YOUR ASSESSMENT OF WHY THE HOST GOVERNMENT

STILL WOULD NOT AGREE TO COOPERATE WITH DEA AFTER HAVING BEEN INFORMED THAT DEA IS THE DESIGNATED AGENCY OF THE US TO CONDUCT ALL RELATIONS WITH FOREIGN DRUG LAW ENFORCEMENT OFFICERS. IF YOU BELIEVE THAT THE SITUATION WARRANTS CUSTOMS INTERVENTION, YOUR ASSESSMENT SHOULD ALSO INCLUDE THE EXTENT TO WHICH EXPANDED US CUSTOMS LIAISON REGARDING DRUGS WOULD IMPROVE BILATERAL COOPERATION; THE EXTENT TO WHICH CUSTOMS LIAISON COULD BE EXPECTED TO ATTAIN BETTER RELATIONS AND RESULTS THAN WOULD THE DIRECT EFFORTS OF DEA REPRESENTATIVES; AND ANY OTHER CONDITIONS UNDER WHICH CUSTOMS AND/OR DEA SHOULD OPERATE.

8. IF ON THE OTHER HAND YOU FEEL THAT THE PRIMARY RESPONSIBILITY FOR LIAISON WITH YOUR HOST COUNTRY ON NARCOTIC MATTERS CAN REMAIN WITH DEA WITHOUT DETRIMENT TO US NARCOTICS CONTROL INTERESTS, WE WOULD APPRECIATE YOUR CONFIRMATION OF THIS.

9. DEPENDING ON YOUR ANSWERS, WE WILL KNOW WHETHER MODIFICATIONS SUGGESTED BY CUSTOMS SHOULD BE SOUGHT.

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